

**Notice of Allowability**

Application No.

10/791,933

Examiner

Ismael Negron

Applicant(s)

GARCIA ET AL.

Art Unit

2875

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to patent application filed March 2, 2004.
2. ☒ The allowed claim(s) is/are 1-7.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>2/7/2005</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                    |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                               | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

## DETAILED ACTION

### *Examiner's Amendment*

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Brian Brown (Reg. No. 47,265) on October 26, 2005.
3. The application has been amended as follows:

In the claims:

CLAIM 1. Lighting headlamp for a motor vehicle, comprising:

a light source;

**a convergent lens;**

a **an elliptical** reflector of the ~~elliptical~~ type, a first focus of which **the reflector** is arranged in the vicinity of the **light** source and a second focus of which **the reflector** is arranged in the vicinity of the focal plane of a **the** convergent lens; and;

**a fixed mounting having a first face, and second face opposite the first face;**

a movable mask which is **pivotably** mounted ~~so as to pivot~~, with respect to a **the** fixed mounting, about an overall transverse axis, and

~~which is capable of occupying~~ **the movable mask pivotable between** an angular occultation position, in which it is arranged substantially vertically in the vicinity of the focal plane of the lens ~~so as to form~~ **forming** a cutoff in the light beam produced by the headlamp, and a retracted angular position;

a spring forcing the movable mask into its occultation position; **and**

~~which also comprises at least one locking means acting between the mounting and the mask,~~ **for holding** ~~in order to hold the mask in it's~~ **the** occultation position.

CLAIM 3. Headlamp according to claim 2, ~~wherein,~~ **further comprising:**

~~in the occultation position, the mask comes into axial contact, by at least one abutment surface~~ **formed on the mask and** made of **a** ferrous alloy, **the abutment surface contacting** against an associated bearing surface ~~which is implemented~~ **located** in the first face of ~~part of the mounting,~~ **when the mask is in the occultation position** ~~and wherein;~~

the magnetic attraction element is arranged facing the bearing surface, on a **the** second face **of the fixed mounting** ~~opposite the first face, and wherein this part of the mounting~~ **the bearing surface** is produced from ferrous alloy, so that the magnetic attraction element holds the mask in its occultation position by magnetic attraction through the mounting.

CLAIM 4. Headlamp according to claim 3, ~~wherein the mask comprises~~  
**further comprising:**

two abutment surfaces **formed on the mask and** ~~which are~~  
arranged respectively in the vicinity of the transverse ends of the mask,  
and ~~which are~~ associated respectively with two **respective** bearing  
surfaces of the mounting, and wherein

the mounting comprises two magnetic attraction elements ~~which are~~  
associated respectively with the two bearing surfaces.

***Allowable Subject Matter***

4. Claims 1-7 are allowed.

5. The following is an examiner's statement of reasons for allowance:

Applicant teaches a lighting headlamp for a motor vehicle, such headlamp having a light source, a convergent lens, an elliptical reflector, a fixed mounting and a movable mask pivotably mounted with respect to the fixed mounting. A spring forces the movable mask from a retracted angular position into an occultation position, the mask being locked into such occultation position by at least one locking means.

**Kusagaya et al.** (U.S. Pat. 6,425,683), **Taniuchi et al.** (U.S. Pat. 6,575,609),  
**Hayakawa** (U.S. Pat. 6,607,295) and **Watanabe et al.** (U.S. Pat. 6,848,814) disclose

vehicle headlamps having a light source, a convergent lens, an elliptical reflector, and a pivotable masking element, such masking element being biased towards an occultation position by a resilient member. However, no locking means are disclosed, or even suggested, for locking the mask element in the occultation position.

No prior art was found teaching individually, or suggesting in combination, all of the features of the applicants' invention, specifically the claimed movable mask having a spring for forcing such mask into an occultation position where it is then locked by locking means, in combination with the recited structural limitations of the claimed invention.


6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

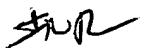
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (571) 272-2376. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (571) 272-2378. The facsimile machine number for the Art Group is (571) 273-8300.

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.



THOMAS M. SEMBER  
PRIMARY EXAMINER



Inr

October 26, 2005